

**A CERTIFIED TRUE COPY****JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION**

AUG 25 2006

AUG - 9 2006

**DOCKET NO. 1596****FILED  
CLERK'S OFFICE.**ATTEST:  
FOR THE JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION**JUDICIAL PANEL ON MULTIDISTRICT LITIGATION****IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION**

06cv4978 *Victoria H. Johnson v. AstraZeneca Pharmaceuticals, I.P., et al.*, N.D. California, C.A. No. 3:06-1319  
 06cv4985 *Theresa J. Livingston v. AstraZeneca Pharmaceuticals, LP, et al.*, N.D. California, C.A. No. 3:06-1440  
 06cv4986 *Jean M. Nguyen v. AstraZeneca Pharmaceuticals, LP, et al.*, N.D. California, C.A. No. 3:06-1445

**CONDITIONAL TRANSFER ORDER (CTO-62)  
AND SIMULTANEOUS SEPARATION AND REMAND OF CERTAIN CLAIMS**

On April 14, 2004, the Panel transferred six civil actions to the United States District Court for the Eastern District of New York for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See 314 F.Supp.2d 1380 (J.P.M.L. 2004). Since that time, 1,147 additional actions have been transferred to the Eastern District of New York. With the consent of that court, all such actions have been assigned to the Honorable Jack B. Weinstein.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of New York and assigned to Judge Weinstein. These common questions of fact are presented in claims in these actions relating to the prescription drug Zyprexa.

It further appears that the remaining claims in these actions, which relate to a prescription drug other than Zyprexa, do not involve questions of fact common to the actions previously transferred to the Eastern District of New York.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of New York for the reasons stated in the order of April 14, 2004, and, with the consent of that court, assigned to the Honorable Jack B. Weinstein.

It is furthered ordered that all claims in these actions except Zyprexa claims are separated and simultaneously remanded to the Northern District of California.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of New York. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

**Inasmuch as no objection is pending at this time, the stay is lifted.**

AUG 25 2006

**CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION**

FOR THE PANEL:

Jeffery N. Lüthi  
Clerk of the Panel